

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

OPERATING ENGINEERS HEALTH  
AND WELFARE TRUST FUND FOR  
NORTHERN CALIFORNIA, et al.,

Plaintiffs,

v.

AECOM, A DELAWARE  
CORPORATION,

Defendant.

Case No. [18-cv-07345-JSC](#)

**ORDER DENYING MOTION TO  
CONTINUE PRETRIAL DATES**

Re: Dkt. Nos. 69-70

Upon the parties' stipulation, and to allow them to complete settlement negotiations, the Court continued the pretrial deadlines in this case many times. Most recently, on January 15, 2021, the Court extended the fact discovery cut-off to April 26, 2021. (Dkt. No. 66.) On that same date, Defendant moved to continue all pretrial deadlines for 60 days. (Dkt. No. 69.) It insists that the parties had agreed to stay discovery pending their settlement negotiations and that it needs time to take depositions.

Defendant has not shown good cause for modifying the Court's scheduling order. *See* Fed. R. Civ. P. 16(b). In particular, for the reasons set forth in Plaintiffs' opposition to the motion to continue, (Dkt. Nos. 73, 74), Defendant has not been diligent. *See Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 608 (9th Cir. 1992). The record does not support any such agreement-to-stay and the Court did not agree to a stay of discovery. Accordingly, the motion to continue is DENIED.

Any discovery disputes regarding outstanding written discovery requests must be brought to the Court's attention by way of a joint discovery dispute letter on or before May 28, 2021.

This Order disposes of Docket Nos. 69, 70.

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**IT IS SO ORDERED.**

Dated: May 7, 2021

  
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JACQUELINE SCOTT CORLEY  
United States Magistrate Judge